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09/179,290	10/27/1998	MAURICE J.M. CUIJPERS	PHN-16.580	5507

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EXAMINER

ALAVI, AMIR

ART UNIT

PAPER NUMBER

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Please find below and/or attached an Office communication concerning this application or proceeding.



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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Paper No. 24

Application Number: 09/179,290
Filing Date: October 27, 1998
Appellant(s): CUIJPERS, MAURICE J.M.

Russell Gross
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed August 26, 2002.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

(7) *Grouping of Claims*

Appellant's brief includes a statement that claims (2-7, 11-12) and 8-10 do not stand or fall together and provides reasons as set forth in 37 CFR 1.192(c)(7) and (c)(8).

(8) *Claims Appealed*

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) *Prior Art of Record*

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 2-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Suzuki (US Patent 5,825,917). This rejection is set forth in prior Office Action, Paper No. 19.

(11) Response to Argument

- On page four of the Brief, lines 7-8, The Appellants argue that the present invention uses the same look-up table for both the source image and the output image.
- In this regard even though Examiner points out to the latest version of all provided claims, that in fact none of these claims discuss in any apparent form or shape utilization of the same look-up table for both the source image and the output image, however in an effort to further clarify any ambiguities, Examiner refers to figure 6, in correlation to column 8, lines 16-25, "According to the image communication apparatus of the present invention as described hereinabove, the transmission and reception of the image data can be executed while simultaneously avoiding the absence of any significant region. In this case, due to the fact that both the transmitter and receiver can share a color table necessary and sufficient for the reproduction of the image to be transmitted, the apparatus will be appropriate to meet the demand for the transmission of more definite information through a low bit rate line and will be superior in practical use".

In this regard Examiner considers the transmitter and the receiver to respectively correspond to The Appellant's source and output.

- In later steps, on page 4, lines 16-19 and page 5, lines 5-8, of the Brief, Appellants argue that the cited prior art does not teach, "...reference used for the image locations in a particular group of the pixel map being constructed from at least one reference to the color look-up table which defines the color value in the source image....".
- In this regard Examiner relies upon figure 6, in correlation to column 7, lines 28-32, " The image transmitter 30 further includes a color table creation section 36 which creates a new color table by extracting color table elements necessary for the representation of the final image after the completion of the region integration by the pixel integration section 18". However, as broadly as the above claimed feature has been presented and the Appellants argue to interpret it as narrow as they may want to, to the extent of indicating that the above mentioned feature includes utilization of the same look-up table for both the source image and the output image (Please note, Brief page 5, lines 2-3), Examiner further relies upon figure 6, in correlation to column 8, lines 16-25, "According to the image communication apparatus of the present invention as described hereinabove, the transmission and reception of the image data can be executed while simultaneously avoiding the absence of any significant

region. In this case, due to the fact that both the transmitter and receiver can share a color table necessary and sufficient for the reproduction of the image to be transmitted, the apparatus will be appropriate to meet the demand for the transmission of more definite information through a low bit rate line and will be superior in practical use". In this regard Examiner considers the transmitter and the receiver to respectively correspond to Appellant's source and output.

- In yet, further elaboration of the aforementioned argument, Examiner directs your attention to column 3, lines 48-50, "According to the image processing method of the present invention, the thus integrated region is coded by the information on the border lines between regions". In this regard, Examiner considers the border lines to correspond to The Appellants pixel map. Also please note, column 2, lines 50-52, "A replacement step for replacing the color of each portion with an element color". In this regard, Examiner considers element color to correspond to The Appellants selection code. It is to be emphasized that the above explanation is in fact the proving steps to converge to what The Appellants refer to as, " The reference used for the image locations in a particular group of the pixel map". In this regard, color n represents region A, while color m represents region B, in which column 6, lines 38-41 are indicative of such, " Thus, the pixels belonging to the pixel group A

are integrated as having the same color n, whereas the pixels belonging to the pixel group B are integrated as having the same color m, the pixel integration section 18 performs such integration processing to consequently integrate all regions". To further on address what The Appellants regard as, "being constructed from at least one reference to the color look-up table which defines the color value in the source image for at least one image location in the particular image". In this regard, reference colors m and n are indexes to the look-up table, this look-up tables identified in column 7, lines 29-34, " The image transmitter 30 further includes a color table creation section 36, which creates a new color table by extracting color table elements necessary for the representation of the region integration by the pixel integration section 18".

- In later steps, on page 5, lines 14-17, page 6, lines 11-13 and page 7, lines 1-4 of the Brief, The Appellants argue that the cited prior art does not teach, " The reference used for the image locations in the particular group is constructed by selecting a representative image location from the particular group". In this regard, color n represents region A, while color m represents region B, herein, it's evident that an image location, say either A or B, are being selected in which column 6, lines 38-41 are indicative of such, " Thus, the pixels belonging to the pixel group A are integrated as having the same color n, whereas the pixels belonging to the pixel group B

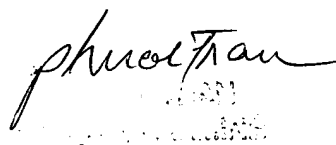
are integrated as having the same color m, the pixel integration section 18 performs such integration processing to consequently integrate all regions". To further on address what The Appellants regard as, " and taking the reference defining the color value for the representative image location in the source image". In this regard, reference colors m and n are indexes to the look-up table, this look-up tables identified in column 7, lines 29-34, " The image transmitter 30 further includes a color table creation section 36, which creates a new color table by extracting color table elements necessary for the representation of the region integration by the pixel integration section 18".

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For the above reasons, it is believed that the rejections should be sustained.

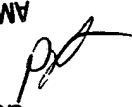
Respectfully submitted,

AA
Patent Examiner
Art Unit 2621
November 17, 2002



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